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Protracted conflicts in the GUAM area and their implications for international peace, security and development

Security Council
Sixty-eighth year

Identical letters dated 28 June 2013 from the Chargé d'affaires a.i. of the Permanent Mission of Georgia to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith a statement of the Ministry of Foreign Affairs of Georgia, dated 27 June 2013, regarding the twenty-fourth round of the Geneva international discussions (see annex).

I should be grateful if you would have the present letter and its annex issued as a document of the sixty-seventh session of the General Assembly, under agenda item 34, and of the Security Council.

(*Signed*) Giorgi **Kvelashvili**
Minister Extraordinary and Plenipotentiary
Chargé d'affaires a.i. of Georgia to the United Nations

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Statement of the Ministry of Foreign Affairs of Georgia regarding the twenty-fourth round of the Geneva international discussions

The twenty-fourth round of the Geneva international discussions was held on 26 June 2013. The participants in the discussions took part, in an individual capacity, in the two working groups: Working Group I, which focused on security and stability in the occupied Abkhazia and Tskhinvali regions of Georgia, and Working Group II, which focused on the issues related to the safe and dignified return of internally displaced persons and refugees to the places of their original residence. The discussions were co-chaired by representatives of the European Union, the United Nations and the Organization for Security and Cooperation in Europe and attended by participants from Georgia, the Russian Federation and the United States. The Head of the Provisional Administration of the former South Ossetian Autonomous District and the Chair of the Government of the Autonomous Republic of Abkhazia, as well as the representatives of the Sokhumi and Tskhinvali occupation regimes, also took part in the twenty-fourth round of the discussions.

On 25 June, an information session was held on "The value and functions of unilateral commitments". The invited experts provided the participants with information on how unilateral declarations create a legal obligation for States. Discussions once again highlighted the importance of Moscow's legally binding commitment not to use force against Georgia.

In the framework of Working Group I, the participants from Georgia brought to the attention of the co-Chairs, with particular acuity, the deteriorating security situation on the ground, which poses a direct threat to peace and stability in the country. The Georgian participants expressed their deep concern over the installation of barbed wire fences and embankments by the Russian occupation forces across the occupation line in the Tskhinvali and Abkhazia regions and over the expansion of the area of occupation, which contravene the ceasefire agreement of 12 August 2008 and further violate the fundamental principles of international law, primarily with regard to Georgia's sovereignty, territorial integrity and the inviolability of internationally recognized borders. The participants from Georgia demanded that the Russian Federation stop and reverse these illegal activities, which lead to the serious aggravation of the security situation and extensive human rights violations and suffering. In this context, the co-Chairs called upon the participants in the Geneva international discussions to use the instruments provided by the Incident Prevention and Response Mechanism and organize agreed joint visits to the sites.

In Working Group I, the participants from Georgia emphasized that the deteriorating security situation in the occupied regions further demonstrated the necessity for the full implementation of the mandate of the European Union Monitoring Mission in Georgia and the creation of functional international security arrangements. The increased number of detentions underpins the importance of the resumption of the Gali Incident Prevention and Response Mechanism in its full composition.

In the framework of Working Group I, the participants addressed one of the central items of the agenda: the non-use of force. The group of experts that had been established at the twenty-first round was called upon to continue its work on a draft statement by the participants of the Geneva international discussions on the non-use of force presented by the co-Chairs. Although the meeting revealed the existence of substantial differences in the positions of the participants, the Georgian participants stressed their readiness to engage constructively in the drafting process. They also reiterated their firm position that progress could be achieved only after the Russian side made a unilateral, legally binding declaration on the non-use of force and reciprocated the pledge on the non-use of force made by Georgia in 2010 and reiterated and supported by the Parliament of Georgia in March 2013.

In Working Group II, the Georgian participants reiterated their priority to provide concrete and result-oriented responses to the existing humanitarian needs of the conflict-affected population and address the persisting violation of human rights in a tangible way. Georgia expressed its particular concern over the humanitarian and human rights consequences of the installation of barbed wire fences and embankments in the Tskhinvali and Abkhazia regions, which affects the everyday life of people residing in the occupied regions and in their adjacent areas and restricts their right to liberty, security, protection of property, freedom of movement and education, as well as to other civil, social and economic rights. The participants from Georgia noted that Russia, as an occupying power exercising effective control over the Abkhazia and Tskhinvali regions of Georgia, bears responsibility under international humanitarian and human rights law for respecting the fundamental rights and freedoms of the population residing in the occupied territories. The Georgian side once again emphasized the importance of creating human rights monitoring mechanisms in the occupied regions and the urgency of facilitating humanitarian access for international organizations in those regions.

Within Working Group II, the co-moderators welcomed the unilateral steps undertaken by Georgia to address the issue of missing persons. The completion of water projects was noted positively and the importance of the continuation of the confidence-building mechanisms in the future was emphasized further.

Unfortunately, some participants in the discussions chose to walk out from Working Group II and attempted to join the other group. Faced with their disruptive attempts aimed at achieving a change in the existing practice with regard to the conduct of meetings, the co-Chairs suspended the work. The Georgian side expresses its regret over the destructive attitude of some participants, which hindered the work of the working groups and prevented the participants from making progress on the substantial issues of the discussions.

The Georgian participants remain hopeful that, thanks to the co-Chairs' efforts, the discussions at the next round will take place in a constructive and engaging manner. Georgia will continue its traditionally constructive cooperation with the co-Chairs to ensure that discussions in both working groups take place unhindered and that progress is made in the work on the realization of the main objective: to ensure the full implementation of the ceasefire agreement of 12 August 2008.

The twenty-fifth round of the Geneva international discussions will be held on 15 and 16 October 2013.